

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	M.W. BROWN et al.	Examiner	Kirsten S. Apple
Serial No.	09/895,244	Group Art Unit	3628
Filed	June 29, 2001	Docket No.	AUS920000711US1
TITLE	METHOD, SYSTEM, AND PROGRAM FOR IMPLEMENTING AN AUCTION USING CALENDAR INFORMATION		

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CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted through the USPTO EFS-Web system over the Internet to the U.S. Patent and Trademark Office on May 15, 2008.

/David Victor/  
David W. Victor

**RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF**

This paper is submitted in response to a Notice of Non-Compliant Appeal Brief dated April 28, 2008, in which the Examiner found that the Status of Claims section in the Appeal Brief dated April 21, 2008 (“Appeal Brief”) was defective. The Examiner said that Applicants need only submit the corrected Status of Claims section, not the entire Appeal Brief. Below Applicants submit a corrected Status of Claims section of the Appeal Brief to overcome the finding of non-compliance. Applicants request entry of this correction and the Appeal Brief for consideration.

Status of Claims section from Appeal Brief begins on pg. 2

Remarks begin on pg. 3

## STATUS OF CLAIMS SECTION OF APPEAL BRIEF

Please edit the Appeal Brief to include the below Status of Claims section:

### III. Status of the Claims

Claims 1-13, 15, 17-30, and 32-44 are pending and have been rejected.

Claims 14, 16, 31, and 45 have been canceled

The final rejection of the claims in the Final Office Action dated September 26, 2007 (“Sept. 2007 FOA”) is being appealed for all pending claims 1-13, 15, 17-30, and 32-44.

REMARKS

Applicants submit that the above amended Status of Claims section of the Appeal Brief overcomes the non-compliance the Examiner found with the section included in the Appeal Brief.

Should any additional fees be required, please charge Deposit Account No. 09-0447.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

Dated: May 15, 2008

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